IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2871 of 2005

Between:

Tajuddin, E- 800551, Driver, Kalwakurthy Depot, S/o. Knaja Hussain,
R/o. Kalwakurthy, Mahaboobnagar District.

..... PETITIONER

AND

1. The APSRTC rep by its Regional Manager, Mahaboobnagar

Region at Mahaboobnagar
2 The APSRTC rep by its Depot Manager, Kalwakurthy,

Mahaboobnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents herein in not granting the selection grade scale Stagnation increments to the petitioner on completion of 12 years service on the ground that the petitioner is out of employment though he was reinstated with continuity of service is illegal, unjust and arbitrary, contrary to well established principles of law and as such set aside the same by directing the respondents herein to add the stagnation increment to the petitioner on completion of 12 years of service irrespective of his transfer and in pursuance of the award of the Labour court from the date of initial appointment and to pay the arrears by refixing the pay of the petitioners forthwith. and to pass such other order or orders as this Hon'ble Court may deem fit and proper

Counsel for the Petitioner:MR.S.M.SUBHAN

Counsel for the Respondent Nos.1 and 2: MR.P.VINAYAKA SWAMY

The Court at the admission stage made the following O R D E R:

This writ petition is filed questioning the action of the respondents in not granting Selection Grade Stagnation Increments to the petitioner from the completion of 12 years service.

The petitioner is working as driver in the respondent-corporation. He contends that after completion of 12 years of continuous service, he is entitled for Selection Grade Stagnation Increment. The grievance of the petitioner is that the respondents did not take any steps to release the Special Grade Stagnation Increment to the petitioner and, hence, he approached this Court seeking a direction to the respondents to pass appropriate orders regarding the Selection Grade Stagnation Increment. Respondents did not deny the eligibility of the employees who have completed 12 years of continuous service for the Selection Grade Stagnation Increment.

In the light of the circumstances, the respondents are directed to pass appropriate orders regarding the release of the Selection Grade Scale Increment to the petitioner, keeping in view the judgment of a Division Bench of this Court in W.A.No.1301 of 2000 dated 29.10.2002, within a period of two months from the date of receipt of a copy of this order and communicate the same to the petitioner.

Accordingly, the writ petition is disposed of. No order as to costs.

18.02.2005

usd

To

1. The Regional Manager, APSRTC Mahaboobnagar

Region at Mahaboobnagar

2 The Depot Manager, APSRTC Kalwakurthy,

Mahaboobnagar District.

3 Two CD copies

4 1 CC to MR.SUBHAN